

Title of Report: Transfer of Houses in Multiple Occupation Standard Conditions & Tackling Anti-Social Behaviour	Officer Presenting: Director of Health and Community Author: Head of Health and Community Wellbeing
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1 Purpose of Report/Recommendations

- 1.1 The purpose of this report is to seek member's approval of the proposed standard licence conditions for Houses in Multiple Occupation (HMO) and guidance for owners and managing agents on tackling anti-social behaviour in HMO properties.

2 Background Information

- 2.1 The Houses in Multiple Occupation (HMO) Act NI 2016 ('the 2016 Act') is due to commence on 1st April 2019. This will transfer the responsibility for the Houses in Multiple Occupation ('HMO') registration scheme from Northern Ireland Housing Executive to local district councils.
- 2.2 This report provides Members with information regarding the Standard Licence Conditions and the approach to managing Anti-Social Behaviour in HMO properties.

3 Key Issues

3.1 Standard conditions

- 3.1.1 The proposed standard licence conditions are attached in Appendix 1. The conditions imposed within this document will apply to all houses in multiple occupation (HMOs) in Northern Ireland, and will be attached to all licences issued. The licence conditions are imposed for the purpose of regulating both the management, use and occupation of the HMO, and its condition and contents.
- 3.1.2 The Council may include further conditions in the licence in addition to the conditions contained in this document. Such conditions, if imposed, shall be appended to the licence certificate.

3.2 Tackling Anti-social Behaviour

- 3.2.1 The proposed 'Tackling Anti-Social Behaviour in HMO Properties, A Guide for Owners and Managing Agents' is attached in Appendix 2. This will apply to all houses in multiple occupation (HMOs) in Northern Ireland, and will be attached to all licences as they are issued.

- 3.2.2 Section 10(6) of the Houses in Multiple Occupation Act (Northern Ireland) 2016 sets out the matters which are relevant for deciding whether an owner or managing agent is a fit and proper person for the purposes of the act.
- 3.2.3 Amongst other considerations, the council must have regard to any anti-social behaviour engaged in by the owner or manager, and the owner or manager's conduct as regards any anti-social behaviour engaged in by the occupants of any relevant living accommodation whilst in the accommodation, or adversely affecting the occupants of any such accommodation.
- 3.2.4 For the purpose of Section 10(6) "anti-social behaviour" means acting or threatening to act in a manner causing or likely to cause a nuisance or annoyance to a person residing in, visiting or otherwise engaging in a lawful activity in residential premises or in the locality of such premises, or using or threatening to use residential premises for illegal purposes
- 3.2.5 The guide has been prepared to assist landlords to comply with this new statutory obligation. It provides guidance to landlords on the remedies and preventative measures that can be taken to manage anti-social behaviour, how to best demonstrate compliance via record keeping and intervention, and the development of an anti-social behaviour plan.

4 Financial, Equality, Legal, HR, Improvement and other Implications

- 4.1 There are no financial or other implications.

5 Recommendations

- 5.1 It is recommended that committee endorse the proposed Standard Licence Conditions and the proposed approach to tackling Anti-Social Behaviour as attached in Appendix 1 and 2 respectively.

Background Papers

Appendix 1: Proposed Standard licence conditions for Houses in Multiple Occupation (HMO) in Northern Ireland

Appendix 2: Proposed approach to tackling Anti-Social Behaviour in HMO Properties- A Guide for Owners and Managing Agents.